

REMARKS

Applicants respectfully request reconsideration of this application, and reconsideration of the Office Action of November 2, 2004. Upon entry of this Amendment, claims 6-20 will remain pending in this application with claims 13-20 currently withdrawn. New claim 21 is added. The change to claim 6 and the newly added claim are supported by the specification and original claims. No new matter is incorporated by this Amendment.

Applicants gratefully acknowledge the Examiner's indication that claims 7-12 contain allowable subject matter. While these claims are objected to, the Examiner indicated they would be allowable if rewritten in independent form including all of the features of the base claim and any intervening. Applicants respectfully submit that, as discussed below, independent claim 6 has been amended in a manner that overcomes the outstanding rejection. Hence, claims 7-12 are also believed to be in condition for allowance. In addition, Applicants have added new independent claim 21 which is a combination of claims 6-12. Hence, claim 21 also is believed to be in condition for allowance.

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Claim 6 is rejected under 35 U.S.C. §102(b) as purportedly anticipated by Yoshida (U.S. Pat. No. 6,107,505). The Office Action asserts Yoshida teaches each feature of claim 6 and thus anticipates the claimed invention. Applicants respectfully traverse.

Claim 6 concerns a process for the production of siloxane oligomers of the general formulae I or II as shown in the claim. The method includes treating a halogenalkyltrihalogensilane to oligomerization in the presence of alcohol and water and

co-oligomerized with at least one of a (C₁-C₁₈)-alkyl-, phenyl-, aryl- or aralkyl-trihalogensilane and silicon tetrachloride. In other words, in amended claim 6, the halogenalkyltrihalogensilane is co-oligomerized with at least one of a (C₁-C₁₈)-alkyl-, phenyl-, aryl- or aralkyl-trihalogensilane and silicon tetrachloride. This feature is neither taught nor fairly described by Yoshida.

Yoshida describes producing a polyorganosiloxane which can include co-oligomerization of the organotrichlorosilane with an organodichlorosilane or an organomonochlorosilane. See Column 3, Lines 39-41. However, Yoshida neither teaches nor fairly suggests co-oligomerization with at least one of a (C₁-C₁₈)-alkyl-, phenyl-, aryl- or aralkyl-trihalogensilane and silicon tetrachloride. Hence, Yoshida fails to teach or fairly describe each and every feature of claim 6 and thus cannot anticipate the claimed invention.

In view of the above remarks, Applicants submit this rejection is overcome and respectfully request it be withdrawn.

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Applicants respectfully submit that this Amendment and the above remarks obviate the outstanding objection and rejection in this case, thereby placing the application in condition for allowance. Allowance of this application is earnestly solicited.

If any fees under 37 C.F.R. §§1.16 or 1.17 are due in connection with this filing, please charge the fees to Deposit Account No. 02-4300; Order No. 032301.2851.

If an extension of time under 37 C.F.R. §1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The extension fee should be charged to Deposit Account No. 02-4300; Order No. 032301.2851.

Respectfully submitted,

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